



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andy H. Levine, John F. Cvinar and John C. Meade
Application No.: 10/811,293 Group: 3738
Filed: March 26, 2004 Examiner: Cheryl L. Miller
Confirmation No.: 8260
For: ANTI-OBESITY DEVICES

CERTIFICATE OF MAILING OR TRANSMISSION	
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REPLY TO RESTRICTION REQUIREMENT AND AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated February 21, 2007, the claims of Group II (Claims 1-20) drawn to a restrictive gastrointestinal implant are elected for prosecution.

Applicant has further added new claim 49, which is a means plus function claim drawn to a gastrointestinal implant device. Applicant believes that new claim 49 belongs in elected Group II. Applicant requests that the Examiner confirm the same.

Applicant reserves the right to file a divisional application or take such other appropriate action as deemed necessary to protect the non-elected inventions. Applicant does not hereby abandon or waive any rights in the non-elected inventions.

Please amend the application as follows:

03/28/2007 EHAILE1 00000007 10811293

01 FC:1201

02 FC:1202

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